IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Writ Petition No.341 of 2006

Office Notes, Office Memoranda of Coram, : Appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

Mr. R. M. Daga, Advocate, for Petitioner.
Mrs. K.S. Joshi, APP for R. No.1.
Mr. M. N. Phadke, Advocate for R. No.5.
Mr. H. I. Kothari, Advocate holding for
Mr. R. S. Sundaram, Advocate for R. No.6.

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CORAM : K. J. ROHEE & C. L. PANGARKAR, JJ
DATED : DECEMBER 8, 2006

1. Mr. R. M. Daga, Advocate appears for the petitioner and prays for adjournment. His prayer is rejected.

2. Heard Mrs. K.S. Joshi, APP for respondent no.1, Mr. M. N. Phadke, Advocate for respondent no. 5 and Mr. H.I. Kothari, Advocate holding for Mr. R.S. Sundaram, Advocate for respondent no.6.

3. A perusal of the record shows that the petitioner instituted Special Civil Suit No. 527/2006 for declaration of his ownership, perpetual injunction and for possession of the property in question against Bank of India, Recovery Officer, the auction purchaser (respondent no.2) and respondents no.3 and 4 in the present petition. He

also applied therein for interim injunction. The said application was rejected by the Court by order dated 14.7.2006. The petitioner has challenged the said order and the appeal is pending.

4. After rejection of his application for interim injunction, the petitioner filed the present petition on 18.7.2006. A perusal of the petition clearly shows that it is purely a civil dispute. As such no cognizance could have been taken by the Police Authorities. We find no merit in the petition. The same is , therefore, dismissed in limine.

JUDGE **JUDGE**

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